

In paragraph 2 of the office action, claims 22-29 are rejected under the judicially created doctrine of obviousness-type double patenting over claims 61 and 68 of U.S. Patent No. 6,335,965. Applicant is submitting a terminal disclaimer to obviate the obviousness-type double patenting rejection. Also, Applicant has amended certain claims as indicated above to further clarify them.

In paragraph 4 of the office action, claims 23-29 are rejected under 35 U.S.C Section 102(b) as anticipated by Barger. The Examiner takes the position that all the features of the claimed invention (as defined by claims 23-29) are met by Barger alone. In paragraph 6, claim 22 is rejected under 35 U.S.C. Section 103(a) as being unpatentable over Barger in view of Gordon. With respect to claim 22, the Examiner takes the position that all the features of claim 22 are met by Barger, but for the step of "*receiving and recording caller number identification signals.*"

Applicant respectfully submits that the claimed invention is distinct from Barger alone, or in combination with Gordon, for various reasons, some of which are discussed here. Applicant submits that Barger does not disclose Applicant's combination including the steps of (1) displaying to the operator at the attended terminal data including a portion of the data entered by the caller and (2) confirming with the caller, via a voice generator, at least certain of the data stored for the caller. Barger, in columns 4 and 5, describes that the operator "elicits information" from the caller including identification information and demonstration request information etc. and keys such information into the data processor. To listen to the requested demonstration, the customer is connected to the appropriate audio program repeater channel. When "*the requested demonstration has been completed,*" the data processor "*disconnects the audio program repeater from the customer's line and switches the customer's line back to an available*

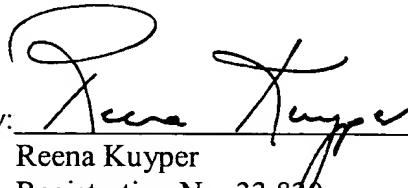
operator. The operator readily picks up the transaction with the customer through a video display presented to the operator by the data processor which includes all the data for that customer's call including any historical and credit verification data which the processor has recovered from memory using the customer's account number or credit card number" (see column 5, lines 23-37). Barger does not describe a situation where the customer enters certain data responsive to voice prompts, and then, when the customer is transferred to an operator, the operator is provided with a display of data for the customer including a portion of the data entered by the customer.

Further, in column 9, Barger describes push-button operations and explicitly indicates that "*the 'hello' message may instruct the customer to key in a specified code if operator assistance is desired, and if not that the customer key in an established account number having a code reserved for push-button telephone customers*" (see column 9, lines 38-42). In column 11, Barger describes push-button operations and circumstances under which customers are transferred to an operator, however, there is no discussion of any display provided to the operator nor what information is displayed.

In addition, with respect to Applicant's confirming step, the Examiner recognizes that, at best, Barger may be taken to disclose an operator verbally confirming with the customer data stored for said caller. Of course, Applicant notes that there is no explicit discussion of such aspect.

Favorable consideration and allowance of the claims pending here is respectfully
requested.

Respectfully submitted,

By: 
Reena Kuyper
Registration No. 33,830

Dated: July 18, 2002
9220 Sunset Blvd., Suite 315
Los Angeles, CA 90069
(310) 247-8191

MARKED VERSION OF THE CLAIMS:

22. (Amended) A method for controlling voice or data or both types of communications for use with a communication facility including remote terminals for individual callers, wherein said remote terminals include a digital input device for providing digital responsive signals, said method comprising the steps of:

receiving caller number identification signals indicative of at least a portion of a caller's number from said communication facility;

cuing select ones of said remote terminals to prompt selective actuation by an individual caller of said digital input device to provide responsive signals;

selectively identifying said responsive signals from said select ones of said remote terminals as digital data signals or digital control signals, wherein certain of said responsive signals can serve as digital data signals, digital control signals, or both, said responsive signals including signals indicative of a customer identification number for the individual caller that may be utilized to access a file for said individual caller;

testing at least a portion of said customer identification number for approval;

recording said caller number identification signals from said communication facility as additional data for said individual caller;

transferring a call from said individual caller to an attended terminal and displaying at least a portion of data stored in said file to an operator at said attended terminal under control of said responsive signals indicative of said customer identification number and displaying at least a portion of the customer identification number at the attended terminal wherein the operator at said attended terminal is capable of entering data to facilitate completion of the call from said individual caller; and

confirming with said individual caller certain of said data stored in said file for said individual caller.

23. (Amended) A method for controlling voice-data communications with a system operating a format for use with a communication facility including remote terminals for use by certain individual callers, wherein said remote terminals include a digital input device for providing digital responsive signals, said method comprising the steps of:

interfacing said certain individual callers with an interface unit of said system operating the format;

prompting said individual callers via a voice generator to provide responsive signals representative of identification data via said digital input device of said remote terminals;

receiving from said individual callers responsive signals representative of caller identification data;

comparing said caller identification data received against a file on said individual callers to determine if said caller identification data received is already of record;

utilizing said caller identification data received to access the file to locate other data associated with said caller identification data;

transferring at least certain of said individual callers to an attended terminal; and displaying at said attended terminal at least a portion of the other data associated with the caller identification data and at least a portion of the responsive signals representative of caller identification data; and

confirming with said individual caller, via the voice generator, certain of said data stored in said file for said individual caller.

24. (Amended) A method for controlling voice-data communications for use with a communication facility including remote terminals for individual callers from a pool of individual callers, wherein said remote terminals include a digit input device for providing responsive signals, said method comprising the steps of:

 cuing via a voice generator select ones of said remote terminals to prompt selective actuation by certain callers from said pool of individual callers of said digit input device to provide responsive signals;

 receiving responsive signals from the individual callers including caller credit card number data and caller expiration date data entered via the digit input device;

 testing the caller credit card number data and the caller expiration date data for approval;

 receiving at least certain of caller number identification signals as identification signals;

 transferring certain of the callers to an attended terminal and displaying at the attended terminal certain of the data entered by the callers during the course of calls; and

 confirming with the callers, via the voice generator, certain of the data stored in the file for the callers.

26. (Amended) A method for controlling voice-data communications with a system operating a format for use with a communication facility including remote terminals for use by

certain of said plurality of individual callers, wherein said remote terminals include a digital input device for providing digital responsive signals, said method comprising the steps of:

interfacing said certain of said plurality of said individual callers with an interface unit of said system operating the format;

prompting said individual callers to provide responsive signals via said digital input device of said remote terminals;

receiving from said individual callers responsive signals representative of caller identification data;

transferring at least certain of said individual caller to an attended terminal based on a condition initiated by an individual caller;

the condition automatically causing a display associated with the caller identification data including at least a portion of the caller identification data to appear at the attended terminal; and

confirming with the caller, via the voice generator, at least certain of the data stored for the caller.